

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

STATE OF MISSOURI ex rel. ERIC S.
SCHMITT, Attorney General, *et al.*,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR.,
in his official capacity as President of the
United States, *et al.*,

Defendants.

No. 3:22-cv-01213-TAD-KDM

**PLAINTIFFS' CONSENT MOTION FOR LEAVE TO EXCEED THE PAGE LIMIT
FOR THEIR RESPONSE TO DEFENDANTS' MOTION TO DISMISS**

Pursuant to the Local Rules of the U.S. District Court for the Western District of Louisiana, Plaintiffs respectfully request the Court's leave to file a 83-page response in opposition to Defendants' motion to dismiss and 76-page memorandum in support, Doc. 128-1. Counsel for Defendants have consented to this request.

In support, Plaintiffs state as follows: On November 22, 2022, Defendants moved to dismiss Plaintiffs' Second Amended Complaint. Doc. 128. Defendants' memorandum in support of its motion to dismiss is 76 pages long, exclusive of title page and tables, and raises numerous arguments in support of dismissal based on lack of standing, sovereign immunity, failure to state a claim, and other issues. Doc. 128-1. Moreover, responding to the motion requires analyzing the allegations in the Second Amended Complaint, Doc. 84, which contains 570 paragraphs in 164 pages. In order to provide a thorough response to Defendants' arguments, Plaintiffs have prepared a response brief of 83 pages, which exceeds the usual limit of 25 pages. *See* Local Rule 7.8.

Plaintiffs respectfully request leave to file their response brief of 83 pages. Counsel for Defendants have consented to this request. The proposed response is attached to this Motion.

Dated: January 5, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on January 5, 2023, I caused a true and correct copy of the foregoing to be filed by the Court's electronic filing system, to be served by operation of the Court's electronic filing system on counsel for all parties who have entered in the case.

/s/ D. John Sauer